

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ARTHUR BERRIMAN.,)	<i>FILED CLERK'S OFFICE 2004 JUN 23 AM 11:59 U.S. DISTRICT COURT OF MASS.</i>
Plaintiff)	
v.)	
MCL Associates, Inc.)	
Defendant)	

Civil Action No. 04cv10387MEL

**DEFENDANT MCL ASSOCIATES, INC.'S INITIAL DISCLOSURES
TO PLAINTIFF IN ACCORDANCE WITH F.R.C.P., RULE 26(a)(1)**

Defendant, MCL Associates, Inc. ("MCL") hereby submits its Initial Disclosures to Plaintiff, Arthur Berriman., ("Berriman") in compliance with F.R.C.P., Rule 26(a) (1).

1. In accordance with the provisions of F.R.C.P., Rule 26(a)(1)(A), the following individuals are likely to have discoverable information to support the claims of MCL:
 - a. Arthur Beriman. Mr. Berriman's address and telephone numbers are already known to the plaintiff. Mr. Berriman has knowledge regarding all of the claims asserted in the complaint.
 - b. Michael Carlucci. Mr. Carlucci's address is known to the plaintiff. Mr. Carlucci has knowledge regarding all of the claims and defenses asserted in the complaint and answer.
 - c. John Sganga. Mr. Sganga's address is known to the plaintiff. Mr. Sganga was the authorized agent or representative of the company whose claim

forms the basis for plaintiff's complaint. Mr. Sganga has knowledge regarding the transaction that gave rise to the claim set forth in the plaintiff's complaint.

d. M. Saleem Muqaddam. Mr. Muqaddam is an employee of Citicorp venture Capital, Ltd., and may have knowledge as to the circumstances related to the underlying transaction that forms the basis of the plaintiff's complaint.

e. Alan R. Goodman. Mr. Goodman is an attorney who represented the defendant in its business transactions and communicated with the plaintiff with regard to the plaintiff's claim. Mr. Goodman's business address is known to the plaintiff.

f. Jerry Pierce. Mr. Pierce is an employee of KPMG and was the tax accountant for Consolidated Furniture. Mr. Pierce may have knowledge regarding the transaction that forms the basis of plaintiff's complaint.

2. In accordance with the provisions of F.R.C.P., Rule 26(a)(1)(B), the following is a list of documents, data compilations and tangible things that are in the possession, custody or control of the defendants:

a. The cancelled check delivered to the plaintiff by the defendant at or about the time of the termination of plaintiff's employment relationship with the defendant.

b. Simple Fee Agreement for Recovery of Funds dated August 2, 2002 between MCL Associates, Inc., and Consolidated Furniture Corp.

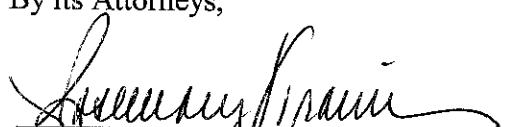
c. Letter from Consolidated Furniture Corporation to MCL Associates, Inc., dated August 28, 2002.

- d. Letter from Arthur Berriman to Michael Carlucci bearing a date of November 23, 2003.
- e. Letter from John B. Sganga to Michael Carlucci dated August 5, 2002.
- f. Letter from Michael Carlucci to Judy Kells dated August 5, 2002.
- g. Letter from Alan Goodman, Esq., to John Sganga dated September 6, 2002.

3. In accordance with F.R.C.P., Rule 26(a)(1)(D), the insurance agreements are as follows:

There are no insurance agreements.

Respectfully submitted,
Defendant, MCL Associates, Inc.
By its Attorneys,


Rosemary Traini 501570
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Dated: June 9, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for Plaintiff by mail (by hand) (by expedited mail) on 6/21/04

6/21/04 